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12 IN THE UNITED STATES DISTRICT COURT

13 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 11 UNITED STATES OF AMERICA, ) No. CR 05-00740-MJJ  
15 12 )  
16 13 Plaintiff, )  
17 14 ) [PROPOSED] ORDER FOR  
18 15 v. ) CONTINUANCE AND EXCLUSION  
19 16 ) OF TIME UNDER THE SPEEDY  
20 17 ) TRIAL ACT, 18 U.S.C. § 3161 ET  
21 18 DERRICK DONTE MILES, ) SEQ.  
22 19 )  
23 20 Defendant. )  
24 21

25 **ORDER**

26 19 Based on the reasons provided in the stipulation of the parties, the court hereby FINDS:  
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21 The ends of justice served by vacating the trial date currently set for June 19, 2006 and  
22 setting the matter down for change of plea or trial or motions setting on June 16, 2006 at 2:30  
23 p.m. outweigh the best interests of the public and the defendant in a speedy and public trial  
24 because a substantial quantity of new discovery; including video and audio tapes, forensic reports,  
25 search warrant returns, and crime scene photographs; which were not in the possession of the  
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1 government at the last hearing of this case will soon be provided to the defense, and additional  
2 investigation and review are necessary to the defense preparation of the case.

3 Based on these findings, and to the extent applicable, it is ORDERED that time be excluded  
4 under the speedy trial act, 18 U.S.C. Section 3161(H) (8)(A) and (B)(iv) from April 27, 2006  
5 until June 16, 2006.

7 IT IS FURTHER ORDERED that the PRETRIAL CONFERENCE date of June 16, 2006 at  
8 2:30 p.m. and the JURY TRIAL date of June 19, 2006 at 9:00 a.m., before the Honorable Martin  
9 J. Jenkins, be vacated and reset as a CHANGE OF PLEA OR MOTIONS AND TRIAL  
10 SETTING HEARING for June 16, 2006 at 2:30 p.m.

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13 DATED: 5/23/2006



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15 HON. MARTIN J. JENKINS  
16 UNITED STATES DISTRICT JUDGE  
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